

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION
CASE NO. 3:22-CV-00049-NKM

BABY DOE, <i>et al.</i> ,)	
)	
Plaintiffs,)	DEFENDANT OSMANI'S
)	MOTION FOR EXTENSION
v.)	OF TIME TO ANSWER OR
JOSHUA MAST, <i>et al.</i> ,)	OTHERWISE RESPOND TO
)	PLAINTIFFS' COMPLAINT
Defendants,)	
)	
and)	
)	
UNITED STATES SECRETARY OF)	
STATE ANTONY BLINKEN, <i>et al.</i> ,)	
)	
Nominal Defendants.)	
)	

Pursuant to Fed. R. Civ. P. 6(b) and Rule 11 of the Court's Local Civil Rules, Defendant Ahmad Osmani hereby moves for an extension of time to answer or otherwise respond to Plaintiffs' complaint. In support of his motion, Mr. Osmani respectfully shows the Court as follows:

1. Plaintiffs filed their complaint on September 2, 2022, and Mr. Osmani was served with process on September 7, 2022. (The CM/ECF docket sheet erroneously states at D.E. #19 that Mr. Osmani was served on September 6, 2022; the uploaded affidavit of the process server, however, clearly states that Mr. Osmani was

served September 7, 2022, and Mr. Osmani can confirm September 7 is the date he was in fact served.).

2. Under Fed. R. Civ. P. 12(a), the current deadline for Mr. Osmani to answer or otherwise respond is September 28, 2022.
3. Two of Mr. Osmani's co-defendants, Joshua and Stephanie Mast, have already received an extension of time to October 14, 2022. (D.E. #34.) Co-Defendant Richard Mast similarly has an unopposed motion for extension to October 14, 2022, pending with the Court. (D.E. #36.)
4. The time since service upon Mr. Osmani has been exceptionally hectic for him due to preparations for a related state court proceeding and the birth of his daughter only a few days ago.
5. The schedule of Mr. Osmani's lead counsel has also been exceptionally busy with several matters, including issues arising from the aforementioned related state court proceeding, filing a motion for preliminary injunction in the Eastern District of North Carolina (*Bernstein v. Sims*, Case No. 5:22-cv-00277-BO-KS), filing two motions in a case pending in the Middle District of North Carolina (*Allen v. Elwell*, Case No. 1:19-cv-00766-TDS-LPA), and drafting an *amicus* brief filed with the U.S. Supreme Court (*Groff v. DeJoy*, Case No. 22-174).

6. Additional time is also needed to properly explore and prepare all of Mr. Osmani's potential defenses.
7. The time to answer or otherwise respond has not yet expired.
8. Counsel for Mr. Osmani has conferred with counsel for the Plaintiffs, and they do not object to granting Mr. Osmani an extension of time to October 14.

WHEREFORE, Mr. Osmani respectfully asks that the Court grant him until October 14, 2022, to answer or otherwise respond to Plaintiffs' complaint and for such other and further relief as the Court may deem appropriate.

Respectfully submitted, this the 27th day of September, 2022.

BY: /s/Rick Boyer
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[†] *pro hac vice* motion forthcoming.

Counsel for Defendant Ahmad Osmani

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF systems, which will send notification to counsel of record of such filing to all CM/ECF participants and further certify that a copy was sent via US mail to the following:

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/s/Rick Boyer
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